

**TOWN OF LIMON  
BOARD OF TRUSTEES  
Regular Meeting  
March 3, 2005  
7:30 P.M.**

Notice of this meeting was published in the Limon Leader on Thursday, March 3, 2005.

**ROLL**

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Beattie, Trustees: Bandy, Kelly, Kudlock, Metcalf and Williams. Trustee Jackson arrived at 10:05 p.m.

**STAFF**

Staff present: Town Administrator Kiely, Public Works Director Stone, Chief of Police Yowell, Attorney Kimble and Town Clerk Snyder.

**GUESTS**

Kay Christie, Kenny Mills, Ryan Smithburg, Mike Hines, Kim Orttel, A. Hardi, Carla Weeks, Lonnie Knudsen, Pat & Bob Younger and Mike Neuhalfen.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

Trustee Bandy made a motion to approve the minutes for the February 3, 2005 regular meeting; seconded by Trustee Williams. Motion carried unanimously.

**TEN MINUTE CITIZEN INPUT**

Public Works Director Stone introduced Mike Hines, golf course manager, to the Board. Mike talked about some of his upcoming projects.

**LIQUOR LICENSE RENEWAL FOR EDWIN & PATRICIA YOUNGER DBA SOUTHSIDE**

Trustee Kudlock moved to approve the liquor license renewal for Edwin & Patricia Younger dba Southside; seconded by Trustee Kelly. Motion carried unanimously.

**LIQUOR LICENSE RENEWAL FOR SMITHBURG RETAIL ENTERPRISES DBA HOFFMAN DRUG**

Trustee Bandy moved to approve the liquor license renewal for Smithburg Retail Enterprises; seconded by Trustee Kudlock. Voting Aye: Mayor Beattie, Trustees Kelly, Kudlock, and Williams. Abstain: Trustee Metcalf. Motion carried.

**LIQUOR STORE LICENSE REQUEST FROM MARTINI'S LIQUOR**

Mayor Beattie opened the public hearing at 7:45 p.m.

Kim M. Orrttel filed the application and is the president and sole stockholder of the corporation and will manage the business. She testified the neighborhood had been petitioned and answered questions.

Chief of Police Yowell completed the background checks and there is no history of violations for either of the officers of the corporation.

Clerk Snyder reported there were eight petitions in favor of the application submitted and no objections had been reported.

Mayor Beattie closed the public hearing at 8:00 p.m.

Trustee Bandy moved to approve the application for a retail liquor store license; seconded by Trustee Williams. Motion carried unanimously.

### **KENNY MILLS REQUEST TO ADDRESS BOARD**

Kenny Mills requested the Board instruct the police department to stop unlocking cars. The board took no action since the published agenda item did not contain the request.

### **RESOLUTION NO. 03-05-10; AMENDMENT TO EMPLOYEE RETIREMENT INCOME PLAN**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-10; A Resolution Approving An Amendment to the Town of Limon Municipal Employees Retirement Income Plan and Trust Changing the Definition of Final Average Compensation and Years of Service.

Trustee Kudlock moved to approve Resolution No. 03-05-10; seconded by Trustee Metcalf. Motion carried unanimously.

### **RESOLUTION NO. 03-05-11; DIRECT SERVICES CONTRACT WITH ECCOG**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-11; A Resolution Approving Older Americans Act Title III-B/C1-C2 Services/FTA Section 5311 Direct Services Contract, FY-05, Between the East Central Council of Local Governments and the Town of Limon for General and Public Transportation Services to Older Residents and Authorizing the Execution of Said Contract.

Trustee Metcalf moved to approve Resolution No. 03-05-11; seconded by Trustee Kelly. Motion carried unanimously.

### **RESOLUTION NO. 03-05-12; AMENDMENT TO CONTRACT FOR LIMON RURAL DEVELOPMENT PROJECT**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-12; A Resolution Approving Amendment No. Three to Contract EIAF #4473 with the Colorado Department of Local Affairs for Energy/Mineral Impact Assistance Grant Funds for the Limon Rural Development Project and Authorizing the Execution of Said Contract.

Trustee Williams moved to approve Resolution No. 03-05-12; seconded by Trustee Kudlock. Motion carried unanimously.

**RESOLUTION NO. 03-05-13; XEROX LEASE**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-13; A Resolution Approving a Lease with Xerox and the Town of Limon Regarding the Lease for WorkCentre 35 Copier and Authorizing the Execution of Said Agreement.

Trustee Bandy moved to approve Resolution No. 03-05-13; seconded by Trustee Williams. Motion carried unanimously.

**RESOLUTION NO. 03-05-14; SALES MAINTENANCE AGREEMENT WITH XEROX**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-14; A Resolution Approving a Sales/Maintenance Agreement with Xerox and the Town of Limon Regarding an 8400DP Phaser Printer and Authorizing the Execution of Said Agreement.

Trustee Williams moved to approve Resolution No. 03-05-14; seconded by Trustee Bandy. Motion carried unanimously.

**RESOLUTION NO. 03-05-15; RIGHT OF WAY AGREEMENT WITH STATE BOARD OF LAND COMMISSIONERS**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-15; A Resolution Approving a Right-of-Way Agreement with the State Board of Land Commissioners and Authorizing Execution of Said Agreement.

Trustee Kelly moved to approve Resolution No. 03-05-15; seconded by Trustee Williams. Motion carried unanimously.

**RESOLUTION NO. 03-05-16; BUSINESS ASSOCIATE AGREEMENT WITH HEALTHWARE SOLUTION, LLC**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-16; A Resolution Approving a Business Associate Agreement with the Healthware Solution, LLC and Authorizing the Execution of Said Agreement.

Trustee Williams moved to approve Resolution No. 03-05-16; seconded by Trustee Kelly. Motion carried unanimously.

## **RESOLUTION NO. 03-05-17; SOLE SOURCE BID FROM AMWEST**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 03-05-17; A Resolution Approving a Sole Source Bid from AmWest Controls, Inc. in Excess of \$10,000 for Software Package, Programming and Hardware.

Trustee Metcalf moved to approve Resolution No. 03-05-17; seconded by Trustee Kudlock. Motion carried unanimously.

## **RESOLUTION NO. 02-05-09; INTERGOVERNMENTAL AGREEMENT WITH WELD COUNTY**

Town Administrator Kiely introduced and there was read the title of the following proposed resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 02-05-09; A Resolution Approving An Intergovernmental Purchase of Services Agreement with Weld County on Behalf of the Weld County Paramedic Service for Ambulance Billing Collection Services for the Town of Limon, Limon Ambulance Service.

Trustee Bandy moved to approve Resolution No. 02-05-09; seconded by Trustee Kudlock. Motion carried unanimously.

## **ORDINANCE NO. 500; AMENDING CHAPTER 161 MUNICIPAL CODE**

Town Administrator Kiely introduced and there was read the title of the following proposed ordinance and the entire text of said ordinance was submitted in writing to each member of the Board of Trustees and the Mayor.

Ordinance No. 500; An Ordinance Amending Chapter 161-Municipal Contracts, Purchases, Conveyances Ordinance No. 376, the Municipal Code of the Town of Limon, Lincoln County, Colorado.

Trustee Kelly moved to approve Ordinance No. 500; seconded by Trustee Kudlock. Motion carried unanimously.

## **ATTORNEY'S REPORT**

Attorney Kimble had no report.

## **ADMINISTRATION REPORTS**

Public Works Director Stone updated the Board on the Packard 4 well. We are looking at a source water protection plan through Colorado Rural Water and it will be a 4 to 5 month project with public meetings. We received a letter from State Health about the final closure for the landfill. We have authorization to use gravel from our pit in exchange with other entities. The Doctor's Committee will let the donations for the golf course pass through them.

Chief Yowell asked for direction concerning a bulletproof vest that was worn by Tony Schiefelbein. He is working for Elbert County and the vest does not fit any of our officers. The Board decided to donate the vest to Elbert County. Yowell reported to the Board that there is talk that the judicial districts might be changing and that he is not in favor of leaving the 18<sup>th</sup>. He encouraged the Board to contact Mark Hillman and Greg Brophy.

The armed robbery that was reported in the paper has turned out to be a staged robbery and the suspect who planned it is in custody.

Town Administrator Kiely reported to the Board that there was a pay request in the amount of \$34,608.55 from Structures Unlimited for the water project in their packets. The Board had requested to be notified of amounts but resolutions were not necessary for approval since approval has already been given.

Kiely talked about health insurance costs and that we are looking at offering additional life insurance that would be paid for by the employee.

Town Administrator Kiely gave the Board a report progress made regarding agreements for Carla's Cluster Care and talked about the options available to assess adjoining property owners. Carla Weeks was present and mentioned she liked the option that gave the property owners a 20 year period to pay.

Kiely gave a legislative and transportation update.

He thanked members of the Board for their support and attendance at the Chamber Meeting where he was honored as the Citizen of the Year.

## **MAYORS REPORT**

Mayor Beattie congratulated Kiely on the award he received from the Chamber. Mayor Beattie got to meet with the Big Sandy Water Board this month. Beattie attended the CML Legislative Update and found it to be very informative.

## **TRUSTEES REPORT**

The Trustees also congratulated Kiely on the award.

Trustee Metcalf mentioned the gravel on the streets looks nice and there has been progress made at the softball fields.

Trustee Jackson asked if Structures Unlimited donated the use of their crane and if they did donate the use we should send a thank you letter. Public Works Director Stone said they did and we would.

Trustee Kelly congratulated Town Administrator Kiely and Public Works Director Stone on the water projects. He asked if the Town should look at the dangerous dog ordinance sometime in the future.

## **APPROVAL OF BILLS**

Trustee Kelly moved to approve the bills that were submitted for the month of February; seconded by Trustee Kudlock. Motion carried unanimously.

## **ADJOURNMENT**

At 10:32 p.m. Trustee Kudlock moved to adjourn; seconded by Trustee Kelly. Motion carried unanimously.

TOWN CLERK \_\_\_\_\_

MAYOR \_\_\_\_\_